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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,573	11/17/2003	Ann C. Irvine	030064 U2	4719
23696	7590	06/27/2005	EXAMINER	
Qualcomm Incorporated Patents Department 5775 Morehouse Drive San Diego, CA 92121-1714			LAUTURE, JOSEPH J	
			ART UNIT	PAPER NUMBER
			2819	

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No. 10/715,573	Applicant(s) IRVINE ET AL.	
	Examiner Joseph Lauture	Art Unit 2819	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>101804</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The application has not been checked to the extent necessary to determine the presence of all possible typographical and grammatical errors. Applicant's cooperation is requested in correcting any errors of which he/she may become aware in the application.

The Information Disclosure Statements filed 10/18/2004 have been considered. The following is an art rejection of the claims as understood by the examiner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al (US 6,256,349) in view of Gonzales et al (US 5,301,242) and Nakayama et al (US 2003/0228063).

Regarding claims 1-14, Suzuki et al teach in figure (5): an encoding apparatus and method that includes inter alia a transform module (111) configured to generate transform coefficients from input data; a first quantization module (7) that generates an archival quantized bit stream using a reference/predetermined quantization step; a second quantization module (112) that re-quantizes the quantized bit stream.

Suzuki et al do not specifically teach a coding/decoding apparatus wherein a second quantization step is a scaling of a first/reference quantization step. However, Gonzales et al teach in figure (2) an apparatus and method for motion video encoding using an adaptive quantization device (206) wherein a second quantization step is a scaling of a first quantization scale (See column 2, lines 57-65 and lines 8-11 of abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Gonzales et al into the system of Suzuki et al to improve system performance and reliability because varying the scaling factor may prevent unnecessary loss of picture quality during the compression mode (See column 2, lines 28-30). It would have been further obvious to include a storage device anywhere in the circuit to store data for further processing.

Regarding claims 15-28, Suzuki et al teach the essential features of the invention as set forth above except for the step of coding and decoding the input data prior to re-quantization. However, Nakayama et al teach an image processing apparatus wherein the input data is encoded, then decoded prior to a step of re-quantization (See paragraph [0079] on page 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Nakayama et al into the system of Suzuki et al to improve system performance and reliability because that would help to prevent memory overflow (See page 1, paragraph [0003]). It would have been further obvious to include a storage device anywhere in the circuit to store data for further processing.

Art Unit: 2819

CONTACT INFORMATION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Lauture, whose telephone number is (571) 272-1805. The examiner can normally be reached Monday thru Friday between 9:30 am and 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Tokar can be reached at (571) 272-1812. The fax number for the organization to which this application is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (571) 272-1562.

Joseph Lauture
Group: 2819
Date: 06/17/2005


PEGUY JEANPIERRE
PRIMARY EXAMINER